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DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

October 27, 2011

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 8 of House Bill No. 3737, "An Act Making Appropriations for Fiscal Years 2011 and 2012 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

Section 8 attempts to clarify the filing of small business impact statements for state regulations. I proposed similar legislation in my own supplemental budget recommendation and I support the purposes of this section.

This section, however, mistakenly revises the third paragraph of G.L. c. 30A, § 3, rather than the fourth paragraph as I proposed and as the Legislature apparently intended. The inadvertent effect is to remove from present law important procedural safeguards in the state rulemaking process, including public notice of the method for commenting on proposed regulations.

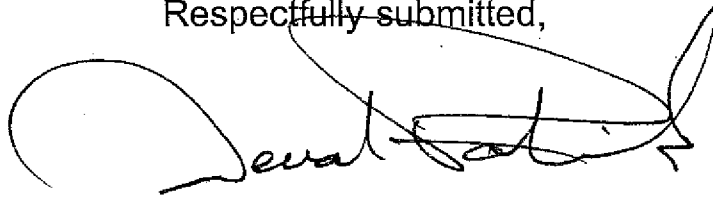
For these reasons, I recommend that Section 8 be amended by striking out the text and inserting in place thereof the following text:-

SECTION 8. Section 3 of said chapter 30A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:-

A small business impact statement shall be filed with the state secretary on the same day the notice is filed and shall accompany the

notice. Notwithstanding section 6, the state secretary shall include the small business impact statement on the electronic website of the state secretary, and the statement may be inspected and copied in the office of the state secretary during business hours.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David L. Han", with a large, stylized flourish extending from the end of the signature.